

License Committee Meeting
Monday, June 29, 2009 @ 6:00 PM

ITEM #1

Application for a Transfer Class II? Located at 1840 Memorial Drive for Vehicle Ventures.

Applicant Jason Spellacy, 86 Sabin Street, Belchertown, MA 01007

ITEM #2

Application for a benefit fund drive to raise funds for the family of Kevin A. Dupont, an Army Sgt. First Class who was injured in Afghanistan at various traffic islands throughout the city on various dates for the next year.

Applicant Fred Gula, Combat Veteran of America, P O Box 3711 Springfield, MA 01101.

ITEM #3

Application for a license to drive a cab for Yellow Cab Co.,

Applicant Abraham Abebe Wasse, 17 Highland Avenue, West Springfield, MA 01089.

ITEM #4

Application for a dealer of second hand articles/Junk Dealers License at 450 New Ludlow Road by: Vanguard Consignment House - buying and selling used furniture.

Applicant Ronald Barthelette, 26 Kimberly Drive, South Hadley, MA 01075.

ITEM #5

Application for TRANSFER of an Auto Body License for DMS Auto Body & Collision, 393 New Ludlow Road.

Applicant Wesley Smith, 201 East Street, Granby, MA 01033

TABLED ITEMS

ITEM #6

Application for a NEW Auto Repair License located at 238 Meadow Street for Jack's Auto Repair.

Applicant Tammy Harrington, 159 ½ Main Street, Indian Orchard, MA 01151.

ITEM #7 - APPLICANT SUBMITTED LETTER REQUESTING APPLICATION BE WITHDRAWN

Application for an Auto Repair License located at 363 Chicopee Street for Auto Deals.

Applicant Mario Tascon, Jr., 99 South Street, Chicopee, MA 01013

ITEM #8

Minutes



CHICOPEE CITY COUNCIL

LICENSE COMMITTEE

ACCEPTED 7-27-09

Members

Ronald R. Belair, Chairman
Dino A. Brunetti, Vice-Chairman
Shane Brooks
Fred Krampits
Robert J. Zygarowski

MINUTES June 29, 2009

The following are the minutes of a public hearing held Monday, June 29, 2009 at 6:00 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present

Belair, Brunetti, Brooks, Krampits, Zygarowski

Also Present

Kate Brown (Planning Director), Daniel Garvey (Associate City Solicitor), Councilor Moreau

The meeting was called to order at 6:00 PM

ITEM #1

Application for a dealer in second hand articles/Junk Dealers License at 450 New Ludlow Road by: Vanguard Consignment House – buying and selling used furniture.

Applicant Ronald Barthelette
 26 Kimberly Drive
 South Hadley, MA 01075

Applicant was present. He would like to expand his business to the other building located on the property. The license would be for Building A and Building B.

Reports

Fire Department

- *No concerns, this is the continuation of the same use. The occupant must adhere to all applicable laws, codes, ordinances, and regulations.*

Planning Department

- *OK*

Motion made by Councilor Zygarowski to approve.

Committee vote: 5 – 0 favorable.

ITEM #2

Application for a Transfer of an Auto Body License located at 393 New Ludlow Road for DMS Auto Body and Collision.

Applicant Wesley Smith
 201 East Street
 Granby, MA 01033

Applicant was present. The previous license holder passed away and his son would like to continue the business.

Reports:

Health

- *No concerns at this time.*

Planning

- *All applications shall be accompanied by 7 copies of a site plan. Deny or table for plan. The license is specific to the plan. It is essential to file a plan.*

Engineering

- *Denied, application does not meet requirements of City Code 188-16.*

RESTRICTIONS

Good housekeeping

No outside storage

No. of vehicles 5 inside

HRS 8-5 M-F

 8-12 Saturday

Adhere to Fire Dept. Regulations

Adhere to all past restrictions

Motion made by Councilor Zygarowski to approve with restrictions.

Committee vote: 5 – 0 favorable.

ITEM #3

Application for a Transfer of a Class II License located at 1840 Memorial Drive for Vehicle Ventures.

Applicant Jason Spellacy
 86 Sabin Street
 Belchertown, MA 01007

Applicant was present along with Ryan Brewer. Letter presented that the license is being transferred.

Reports:

Planning Department

- *Property is zoned for the proposed business. There should be no parking or stored vehicles or other items in Ideal Avenue which extends across the rear of the site. This has been a problem in the past.*

Fire Department

- *Applicant must remove the parking spaces to the left of the office per attached memo of October 21, 2003 and maintain the lot per the amended plan.*
- *Emergency vehicle access to the site must be maintained.*
- *Recommend the committee limit the number of vehicles allowed for sale to coincide with the submitted plan.*
- *No vehicles shall be parked against the structure.*

Engineering Department

- *Denied, application does not meet requirements of City Code 188-15.*

Health Department

- *No concerns at this time.*

RESTRICTIONS

Good housekeeping

No outside storage

No. of vehicles – 55

HRS 9-5 M-F

9-5 Saturday

No Sunday

No parking on left side of lot behind office

No snow piled on Britton Street side

Modified plan dated 6-29-09

Motion made by Councilor Zygarowski to approve with restrictions.

Committee vote 5 – 0 favorable.

ITEM #4

Application for a benefit fund drive to raise funds for the family of Kevin A. Dupont, an Army Sgt. First Class who was injured in Afghanistan at various traffic islands throughout the city on various dates for the next year.

Applicant Fred Gula, Combat Veteran of America
P O Box 3711
Springfield, MA 01101

Applicant was present. He would like to stand at various traffic islands on Memorial Drive and collect funds for veterans. The committee explained to Mr. Gula that the committee for safety reasons does not allow individuals to stand at traffic intersections. The committee suggested that Mr. Gula contact business owners and petition them to collect money in front of their business.

Mr. Gula requested that his application be withdrawn.

ITEM #5

Application for a license to drive a cab for Yellow Cab Co.

Applicant Abraham Abebe Wasse
17 Highland Avenue
West Springfield, MA 01089

Applicant not present.

Motion made to table. Motion passed.

ITEM #6

Application for a NEW Auto Repair License located at 238 Meadow Street for Jack's Auto Repair.

Applicant Tammy Harrington
159 ½ Main Street
Indian Orchard, MA 01151

Motion made to remove from the table. Motion passed.

Applicant was present at the meeting. She stated that he submitted new plans.

Reports:

Fire Department

1. - *The business shall comply with 527 CMR 5.00, Operation and Maintenance of Buildings Used for Garages; 527 CMR 9.00, Tanks and Containers (Waste Oil Storage), 527 CMR 10.00, Prevention of fires in Buildings and 527 CMR 14.00, Storage of Flammable Liquids and Gases, of the Board of Fire Prevention Regulations.*
2. *Applicant will be required to obtain all necessary permits [527 CMR 1.04(8)].*
3. *The Storage, handling and mixing of flammable and combustible Liquids Code [780 CMR 419.2.3].*
4. *Applicant shall adhere to applicable sections of NFPA 30A.*
5. *No parking against the structure.*
6. *Fire extinguishers required will be determined at a later date. [527 CMR 5.09(8)]*
7. *Body work and or spray operations shall not be conducted.*
8. *A permit for the storage of waste oil is required. The storage must comply with the Board of Fire Prevention Regulations. [527 CMR 9.06]*

Health Department

- *Lot slightly overgrown*
- *Pile of cement on lawn area*

Planning Department

- *OK with me if other reviewing department and committee have no objections.*

Councilor Moreau questioned whether the tanks have been removed from this site. The applicant did not know. Councilor Moreau also questioned whether contamination at this site has been cleaned up because this site was once a gas station. The applicant did not know.

The applicant provided the committee with the following information she received:

- Property is sold as is
- Property is contaminated per MA DEP Release Tracking Number (RTN 1-11852)
- Buyer assumes full 100% liability and responsibility for the clean up of the property and any related fees and fines associated with the cleanup.

The applicant stated that she is not purchasing the property but leasing it. The committee does not want the applicant to assume responsibility for the contamination that is already on the site. The committee would like the Fire and Engineering Departments to investigate and forward their recommends regarding the contamination.

Motion made to table. Motion passed.

ITEM #7

Application for a NEW Auto Repair License located at 363 Chicopee Street for Auto Deals.

Applicant Mario Tascon, Jr.
 99 South Street, 2nd fl.
 Chicopee, MA 01013

Motion made to remove from the table. Motion passed.

Applicant submitted the following letter:

"I am withdrawing my application for a repair license at 363 Chicopee Street in Chicopee, MA. Please make the changes to the application as needed. In tandem with this I am submitting a revised plot plan for the location of the vehicles.

Signed (Mario Tascon)"

Motion made to grant the leave to withdraw.

Committee vote 5 – 0 favorable.

ITEM #8

Minutes – May 20, 2009

Motion made to approve. Motion passed.